

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FRONTIER AIRLINES, INC.

Case No.: 1:20-cv-09713-LLS

Plaintiff,

v.

AMCK AVIATION HOLDINGS IRELAND  
LIMITED, ACCIPITER INVESTMENT 4  
LIMITED, VERMILLION AVIATION  
(TWO) LIMITED, WELLS FARGO TRUST  
COMPANY, N.A., solely in its capacity as  
OWNER TRUSTEE, and UMB BANK,  
N.A., solely in its capacity as OWNER  
TRUSTEE,

Defendants.

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**DECLARATION OF SHARATH SASHIKUMAR BINDU**

I, Sharath Sashikumar Bindu, declare as follows:

1. I am employed by Frontier Airlines; and I am manager of fleet and strategic sourcing. I make this declaration in support of Frontier Airlines, Inc.'s Opposition to Defendants' Motion for Summary Judgment. I am knowledgeable about the business records of Frontier Airlines and work with them in connection with some of my job responsibilities with Frontier Airlines.

2. Attached to my declaration as Exhibit 1 is a true and accurate copy of excerpts from the Aircraft Lease Agreement between Wells Fargo Trust Company and Frontier Airlines for the lease of an Airbus A320 aircraft MSN No. 8402. This is one of the aircrafts subject to the May 29, 2018, Framework Agreement

3. Attached to my declaration as Exhibit 2 is a true and accurate copy of the Trust Agreement (8402).

4. Attached to my declaration as Exhibit 3 is a true and accurate copy of excerpts from the May 29, 2018, Framework Agreement.

5. Attached to my declaration as Exhibit 4 is a true and accurate copy of the Guaranty (8402).

6. Attached to my declaration as Exhibit 5 is a true and accurate copy of excerpts from the Aircraft Lease Agreement MSN 9177

7. Accipiter Investments Aircraft 4 Limited (“Accipiter”) is the Owner Participant and Trustor on seven aircraft in which Wells Fargo Trust Company is the Owner Trustee and Lessor of such aircraft to Frontier Airlines. Accipiter is also the Owner Participant, Trustor, and Guarantor on five of the aircraft in which UMB Bank NA is the Owner Trustee, and Lessor of such aircraft to Frontier Airlines.

8. I was responsible for securing the wire transfer payments made to Accipiter on May 13, 2020. Exhibit 55, attached to the Declaration of David G. Hosenpud, reflects the e-mail correspondence and wire transfer confirmations of those payments made on May 13, 2020.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated this 8<sup>th</sup> day of December, 2022.

  
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Sharath Sashikumar Bindu